

FORM PTO 1390 (REV 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 246472006900
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/501,090
INTERNATIONAL APPLICATION NO. PCT/EP03/00191	INTERNATIONAL FILING DATE 10 January 2003	PRIORITY DATE CLAIMED 11 November 2002	
TITLE OF INVENTION SURGICAL INSTRUMENT FOR GRINDING THE COTYLOID CAVITY			
APPLICANT(S) FOR DO/EO/US Arnold KELLER			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/501,090</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP03/00191</b>		ATTORNEY'S DOCKET NUMBER <b>246472006900</b>							
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1110.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$950.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>CALCULATIONS PTO USE ONLY</b>  <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width: 50%; height: 40px;"></td><td style="width: 50%;"></td></tr> <tr><td style="text-align: right;">\$</td><td style="text-align: center;">0.00</td></tr> <tr><td style="text-align: right;">\$</td><td style="text-align: center;">130.00</td></tr> </table>				\$	0.00	\$	130.00
\$	0.00										
\$	130.00										
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>								
Total claims	-20 =	0	x	\$	0.00						
Independent claims	-3 =	0	x	\$	0.00						
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				+	\$						
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	0.00						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$							
<b>SUBTOTAL =</b>				\$	130.00						
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$							
<b>TOTAL NATIONAL FEE =</b>				\$	130.00						
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				+	\$						
<b>TOTAL FEES ENCLOSED =</b>				\$	170.00						
130.00 DA											
				<b>Amount to be refunded:</b>	\$						
				<b>charged:</b>	\$						
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-1952</u> in the amount of \$ <u>170.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.											
<b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b>											
SEND ALL CORRESPONDENCE TO: Barry E. Bretschneider MORRISON & FOERSTER LLP 1650 Tysons Boulevard, Suite 300 McLean, Virginia (703) 760-7743			SIGNATURE: _____ NAME <u>Barry E. Bretschneider</u> _____ REGISTRATION NUMBER <u>28,055</u> _____								

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